

From: [Mason, Steve](#)
To: [Brescia, Nicolas](#); [Enders, Jhana](#)
Subject: RE: Pasadena Refining System - Incident Update
Date: Monday, March 14, 2016 11:22:35 AM
Attachments: [image002.png](#)

Under 40 CFR 302, if the release involves a listed hazardous substance above the reportable quantity, and enters the environment (including ambient air), then the release is reportable to the National Response Center.

Under 40 CFR 355, if the release involves a listed extremely hazardous substance above the reportable quantity, and enters the environment and has the potential of affecting off the facility site, then the release is reportable to State and local officials.

Under the National Contingency Plan, EPA has the authority to respond to a release (or threat of) of hazardous substances, pollutants, or contaminants. Anytime a fire or explosion occurs at a refinery or chemical facility, a threat of a release is present, thus giving EPA the authority to respond to assess the situation and ensure proper response procedures are being followed.

So, yes, it is feasible they could have an incident, and even a release, which would not be reportable under either 40 CFR 302 or 355, but EPA could still respond under 40 CFR 300 if the OSC determines the response is necessary.

With Regards, Steve



Stephen Mason
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"Frequently, my thoughts get bored and walk down to my mouth. Often, this is a bad thing."

From: Brescia, Nicolas
Sent: Monday, March 14, 2016 11:14 AM
To: Mason, Steve <mason.steve@epa.gov>
Subject: FW: Pasadena Refining System - Incident Update

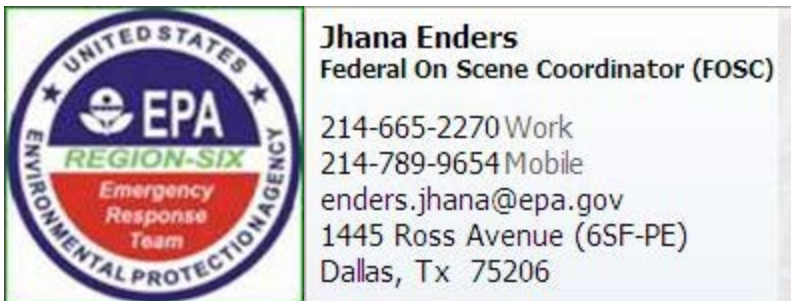
See below on the RP stating it is not reportable under CERCLA-



The Stallion image above was the “Division Charlie” mascot used during the Hurricane Katrina Response. It represents the Division Charlie Stallions and their dedication in protecting the public.

From: Enders, Jhana
Sent: Monday, March 14, 2016 11:06 AM
To: Brescia, Nicolas <brescia.nicolas@epa.gov>
Subject: FW: Pasadena Refining System - Incident Update

FYI...not sure why this went to START first...Since you sent me out – comments?



From: mberlinger@pasadenarefining.com [<mailto:mberlinger@pasadenarefining.com>]
Sent: Friday, March 11, 2016 4:34 PM
To: daniel.tighe@westonsolutions.com
Cc: Enders, Jhana
Subject: Pasadena Refining System - Incident Update

Daniel:

Thank you for speaking with me today, and for your support on Saturday.

As discussed, PRSI has some additional information to supply related to the subject incident to correct/supplement information provided on Saturday evening (March 5)

1. The Incident was not reportable under CERCLA or EPCRA. The incident is/was reportable to TCEQ per state rules for particulate matter (associated with smoke from the fire). Emissions were primarily associated with combustion of diesel-range hydrocarbons.
2. The Incident (fire) started at 10:25 am.

PRSI is interesting in supporting EPA to verify facts in initial report. We are available at your convenience.

Mark Berlinger
HSE Director, PRSI
713-920-3924 (office)
281-832-0740 (mobile)

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